

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Confirmation No.: 7893

Kazunori TANIGUCHI, et. al.

Date: August 5, 2009

Serial No.: 10/630,509

Group Art Unit: 3731

Filed: July 30, 2003

Examiner: Tuan Van NGUYEN

For: **SURGICAL INSTRUMENT****VIA EFS-WEB**

Mail Stop AF
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

AMENDMENT UNDER 37 C.F.R. §1.116

Sir:

The present Amendment under 37 C.F.R. §1.116 is responsive to the final Office Action mailed May 11, 2009 in the above-identified application. Reconsideration is respectfully requested.

FEE CALCULATION

Any additional fee required has been calculated as follows:

If checked, "Small Entity" status is claimed.

NO. CLAIMS AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	EXTRA PRESENT	RATE	ADDIT. FEE
TOTAL 16	MINUS 38	* = 0	X (\$26 SE or \$52)	\$0
INDEP. 6	MINUS 7	** = 0	X (\$110 SE or \$220)	\$0
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM			X (\$190 SE or \$390)	\$0

* not less than 20 ** not less than 3

TOTAL \$ 0

In the event the actual fee is greater than the payment submitted or is inadvertently not enclosed or if any additional fee during the prosecution of this application is not paid, the Patent Office is authorized to charge the underpayment to Deposit Account No. 15-0700.

CONTINGENT EXTENSION REQUEST

If this communication is filed after the shortened statutory time period had elapsed and no separate Petition is enclosed, the Commissioner of Patents and Trademarks is petitioned, under 37 C.F.R. § 1.136(a), to extend the time for filing a response to the outstanding Office Action by the number of months which will avoid abandonment under 37 C.F.R. § 1.135. The fee under 37 C.F.R. § 1.17 should be charged to our Deposit Account No. 15-0700.

SUMMARY OF AMENDMENTS

1. If checked, amendment(s) to the specification are submitted herewith.
2. If checked, amendment(s) to the claims are submitted herewith.
3. If checked, amendment(s) to the drawings are submitted herewith.
4. If checked, an abstract (an amended abstract) is submitted herewith.